

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF NEW YORK**

SIDRA RIGGINS, on behalf of herself and all  
others similarly situated,

*Plaintiff,*

v.

PIONEER BANK,

*Defendant.*

1:23-cv-01534-DNH-DJS

**DEFENDANT PIONEER BANK'S NOTICE OF MOTION TO DISMISS THE  
AMENDED COMPLAINT PURSUANT TO FED. R. CIV. P. 12(b)(1) and (6)**

PLEASE TAKE NOTICE, that, upon the accompanying memorandum of law and all other papers and proceedings had herein, defendant Pioneer Bank, through its undersigned counsel, will and hereby does move this Court, before the Honorable David N. Hurd, U.S.D.J., United States District Court for the Northern District of New York, at the Alexander Pirnie Federal Building and U.S. Courthouse in Utica, New York, for an Order, pursuant to Federal Rules of Civil Procedure 12(b)(1) and 12(b)(6), dismissing the Amended Complaint of plaintiff Sidra Riggins (Dkt. 17) for lack of subject matter jurisdiction and for failure to state a claim upon which relief can be granted. Filed in support of the motion is the Declaration of Allyson P. Webster.

Pursuant to Local Civil Rule 7.1(a), any opposition to this motion shall be filed on or before April 26, 2024, and any reply papers shall be filed on or before May 3, 2024.

*[Attorney signature on following page]*

Dated: April 5, 2024  
New York, New York

DLA PIPER LLP (US)

By: /s/ Robert J. Alessi

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*Counsel for Defendant Pioneer Bank*

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true and correct copy of the foregoing was served on all parties in this action/known counsel of record via the CM/ECF system on this 5th day of April, 2024.

/s/ Robert J. Alessi

Robert J. Alessi (NDNY Bar Roll No. 101019)